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FILED

MAY 26 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 DEAN ALAN WOODFORD,

16 Defendant.

No. CR 09-00111 HRL

STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

SAN JOSE VENUE

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20 On May 14, 2009, the undersigned parties appeared before the Court for a status hearing. At
21 that hearing, the defendant, through his attorney, Mr. Michael L. Horner, and United States
22 Attorney Law Clerk Heather Young requested the case be scheduled for a status hearing on June
23 4, 2009 at 9:30 a.m. The government also requested an exclusion of time under the Speedy Trial
24 Act from May 14, 2009 to June 4, 2009 in order for the parties to finalize their respective
25 investigations and arrive at a disposition for the June 4, 2009 hearing. The defendant, through
26 Mr. Horner, agreed to the exclusion. The parties agree and stipulate that an exclusion of time is
27 appropriate based on the need to conduct further investigation. The parties anticipate that the
28 defendant will enter a change of plea at the next hearing.

1 SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

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3 DATED: 04/16/2009

/s/
SUSAN KNIGHT
Assistant United States Attorney

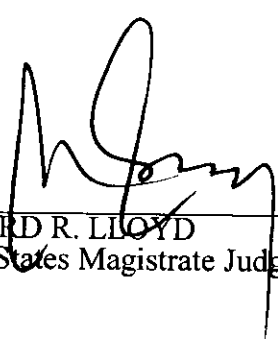
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5 DATED: 04/19/2009

/s/
MICHAEL L. HORNER
Counsel for Mr. Woodford

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9 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
10 under the Speedy Trial Act from May 14, 2009 to June 4, 2009. The Court finds, based on the
11 aforementioned reasons, that the ends of justice served by granting the requested continuance
12 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
13 the requested continuance would deny defense counsel reasonable time necessary for effective
14 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
15 of justice. The Court therefore concludes that this exclusion of time should be made under 18
16 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

17 SO ORDERED.

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19 DATED: 5/25/09


HOWARD R. LLOYD
United States Magistrate Judge